

Message

From: Fullagar, Jill [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7BA061353C314B40A14A8BE1EE382AE3-GABLE, JILL]
Sent: 9/7/2018 11:29:26 PM
To: Glazer, Thomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6578deb6a4b042ffbe42a9854429feb5-Glazer, Tho]; Sweeney, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=37ae2b769eab4231bdf19334e3651814-SSWEENEY]; Cora, Lori [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c8850941bf1540c796559dce75c2f5ee-Cora, Lori]
CC: Schroer, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=573fc5bb4942495d9fc3cd9438634244-LSCHROER]; Steiner-Riley, Cara [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0bef7d04f2e64e4b8b90235a30cc7109-Steiner-Riley, Cara]
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

Theoretically we could complete our action very quickly, **Attorney Client / Deliberative Process / Ex. 5**
Attorney Client / Deliberative Process / Ex. 5 I can get my part done quickly, once I know what I'm writing up. I think the potential hold up will be in the review and edit stage. **Attorney Client / Ex. 5**
Attorney Client / Ex. 5 And yes, it is only a handful of waters we're talking about, I think 36 or so, one DDT and 35 phosphorus. The state is OK with all the rest.

Jill Fullagar, Impaired Waters Coordinator
Watershed Unit, Office of Water and Watersheds
US EPA, Region 10
1200 Sixth Avenue, Suite 155 (OWW-192)
Seattle, WA 98101-3140
(206) 553-2582, (206) 553-1280 (fax)
fullagar.jill@epa.gov

From: Glazer, Thomas
Sent: Friday, August 31, 2018 6:30 AM
To: Sweeney, Stephen <Sweeney.Stephen@epa.gov>; Cora, Lori <Cora.Lori@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

Attorney Client / Ex. 5

Tom Glazer
USEPA Office of General Counsel
Water Law Office
7426N WJC North
(202) 564-0908

From: Sweeney, Stephen
Sent: Friday, August 31, 2018 8:56 AM
To: Cora, Lori <Cora.Lori@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

Attorney Client / Ex. 5

From: Cora, Lori
Sent: Thursday, August 30, 2018 7:26 PM
To: Glazer, Thomas <glazer.thomas@epa.gov>; Sweeney, Stephen <Sweeney.Stephen@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

Attorney Client / Ex. 5

Lori Houck Cora | Assistant Regional Counsel
U.S. Environmental Protection Agency | Region 10
P: (206) 553.1115 | F: (206) 553.1762 | cora.lori@epa.gov

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From: Glazer, Thomas
Sent: Thursday, August 30, 2018 8:23 AM
To: Cora, Lori <Cora.Lori@epa.gov>; Sweeney, Stephen <Sweeney.Stephen@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

Attorney Client / Ex. 5

Tom Glazer
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From: Glazer, Thomas
Sent: Thursday, August 30, 2018 11:16 AM
To: Cora, Lori <Cora.Lori@epa.gov>; Sweeney, Stephen <Sweeney.Stephen@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

Here is the NOI. It's attached to an article from InsideEPA.

<https://insideepa.com/daily-feed/cbd-threatens-suit-over-climate-related-ocean-acidification>

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From: Cora, Lori
Sent: Wednesday, August 29, 2018 7:17 PM
To: Sweeney, Stephen <Sweeney.Stephen@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

I've still not seen the NOI, but in December 2016 when the Region partially approved and partially disapproved Oregon's submission and proposed to list over 1000 waters as impaired, we did not propose to list ocean waters as impaired.

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From: Sweeney, Stephen
Sent: Tuesday, August 28, 2018 11:28 AM
To: Cora, Lori <Cora.Lori@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

The most recent action was December 2016 ... I wonder what motivated the NOI at this point.

From: Cora, Lori
Sent: Tuesday, August 28, 2018 2:21 PM
To: Sweeney, Stephen <Sweeney.Stephen@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

<https://www.epa.gov/tmdl/partial-approval-and-partial-disapproval-oregon-2012-303d-list>

Hi, Steve. This link takes you to EPA's last action on the Oregon 303(d) list. We partially approved and partially disapproved Oregon's 2012 submission and proposed to list approximately 1000 waters. We did not propose to list

Oregon ocean waters as impaired for OA, but we did take public comment seeking information and data about impacts from OA.

Attorney Client / Ex. 5

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From: Sweeney, Stephen
Sent: Tuesday, August 28, 2018 11:16 AM
To: Cora, Lori <Cora.Lori@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

Tom or Lori,

Could one of you please forward to me the most recent EPA "action" document on this? I remember reviewing it but don't remember the substance.

Attorney Client / Ex. 5

Thanks,

Steve

From: Cora, Lori
Sent: Tuesday, August 28, 2018 2:11 PM
To: Glazer, Thomas <glazer.thomas@epa.gov>
Cc: Sweeney, Stephen <Sweeney.Stephen@epa.gov>; Schroer, Lee <schroer.lee@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

Although this NOI appears to be just about OA listing, I hope it helps get decisions on the 1000 proposed listings we are trying to finalize.

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From: Glazer, Thomas
Sent: Tuesday, August 28, 2018 11:09 AM
To: Cora, Lori <Cora.Lori@epa.gov>
Cc: Sweeney, Stephen <Sweeney.Stephen@epa.gov>; Schroer, Lee <schroer.lee@epa.gov>
Subject: Re: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

Thanks Lori. Let us know when you get a copy of the NOI.

Lee: Steve or I can mention this at Reg Review.

Sent from my iPhone

On Aug 28, 2018, at 2:04 PM, Cora, Lori <Cora.Lori@epa.gov> wrote:

https://www.biologicaldiversity.org/news/press_releases/2018/ocean-acidification-08-28-2018.php

Hello, we found out that CBD has sent an NOI today. FYI.

Lori Houck Cora | Assistant Regional Counsel
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